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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,157	08/27/2003	James Salande JR.	S03-0202	4999

27257      7590      12/16/2004

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EXAMINER

NGUYEN, THU V

ART UNIT      PAPER NUMBER

3661

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/649,157	SALANDE, JAMES	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thu Nguyen	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/27/03</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao (US 2002/0121969).

As per claim 1-2, Joao teaches an interactive system for live streaming of data to and from a vehicle comprising: a plurality of data collection devices (video cameras) 11 (fig.1) in the vehicle (para 0182-0183; 0355; 0357-0358); a main control processing unit 4 (fig.1) in the vehicle for receiving and processing data from the collection devices (para 0178; 0182-0183; 0308; 0355-0358); a communication means for transmitting and uploading a continuous stream of the data in real time from the data collection devices to a remote control location (para 0357-0358; 0346). Joao does not explicitly disclose transmitting data from a moving vehicle. However, since Joao teaches transmitting data at any time selected from the user (para 0308; 0312), and since monitoring the status of the vehicle at the time the vehicle is operating is well known, Joao obviously encompasses teaching transmitting data when the vehicle is moving when the user select auto transmission mode or at a specific time the vehicle is traveling in order to enable the remote station to monitor the status of the vehicle while in operation.

As per claim 3-4, Joao teaches connecting the main control unit 4 (fig.1) to a location identifying communication GPS database (para 0202-0203).

As per claim 5-6, 12 Joao teaches including cellular communications (para 0163), and networked communications (para 0221) for authorized access (para 0223).

As per claim 7-8, Joao teaches a second control processing unit 970 (fig.11A) for receiving and analyzing data received from the main control unit 4 (fig.11A) (para 0320; 0357-0360); and for displaying data received from the main control processing unit (para 0346; 0330).

As per claim 9, Joao teaches connecting the main control processing unit to an audio communication device (para 0184).

As per claim 10-11, 13-14, receiving, storing and displaying data retrieved from a network such as map and vehicle position data for display upon user demand for providing navigation direction to the user; powering vehicle subsystem by direct battery of the vehicle, selecting the mini-ITX as the main control processor for compact size in a vehicle, and implementing a wireless air card to the vehicle for wireless data transmission would have been well known.

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As per claim 15, refer to claims 1, 3, 12-13 above. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to select the well known mini-ITX the main processor of Joao in order to obtain optimize size to the control circuit board in the vehicle.

As per claim 16-19, refer to claims 2, 4-5, and 7 above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (703) 306-9130. The examiner can normally be reached on T-F (7:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (703) 305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 10, 2004



**THU V. NGUYEN**  
**PRIMARY EXAMINER**